

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi
Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons
Noes: None
Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails

throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 “floating days,” with the bullet point “A Sunday floater day from 6 p.m. to 10:30 p.m....” and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

AP Gill summarized the Staff Report, recommending approval with the conditions attached. He called attention to an error in the third paragraph of page 3 of the Staff Report – the first sentence of that paragraph should be deleted.

Jeff, a representative for DaRosa and Associates, answered questions for the applicant from the Commission as follows:

- There is a small door behind the brick wall at the bottom, which opens to a set of staircases that go up to a small porch that leads to the front door and main entrance.
- The bricks on the front of the house are decorative only.

- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons
 Noes: None
 Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commission Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
 - o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
 - o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
- There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
- San Mateo agreed that Belmont does not need to give them further access, and that it is within Belmont's right to deny access onto North Road for residents or businesses on the back side of 43rd Avenue.
- If that is what we decide, San Mateo would go back to their architect and property owner and suggest that they need to revise their design and possibly eliminate a couple of units because they would not be able to meet parking requirements.
- He described a new project on the corner where the Chao Praya is located that looks quite attractive and has no access onto North Road. They are improving the corner with trees and have emergency exits with no parking or pedestrian access.
- He had a meeting scheduled for the next day with City Manager Crist and Councilmember Feierbach.
- A stop work order has been put on the project by Belmont's Public Works Department.

CDD de Melo added that Belmont can use the opportunity to try to make the project better from the North Road side from architectural, operational and landscaping perspectives. He felt it was a very productive meeting, adding that the San Mateo Planner was very gracious.

CDD de Melo reported on the remaining items as follows:

8A. Motel 6 – 1101 Shoreway Road

No update at this time.

8B. NDNU (Koret) Athletic Field

No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive

No update at this time.

8D. Ralston/US-101 Landscape Project

Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility

Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area

No update at this time.

9H. Vancea Auto – 900 El Camino Real

No update at this time.

8I. Parking Study – Downtown Village Areas

No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

Chair Parsons asked who had picked the new light standards that have been installed in the Chula Vista neighborhood. The Commission had been in the process of choosing light standards for main thoroughfares

and other streets and now suddenly lights are being installed that nobody has seen. The Commission had wanted a more pedestrian residential look to the neighborhoods.

Announcements:

The Commission Appreciation Dinner is February 27th at the Iron Gate.

The Commission's T-Mobile Wireless Communications decision has been called up by two council members and will be on the February 24th Council agenda. If the call-up receives a majority vote, a Public Hearing will be held at the March 10th Council meeting.

Interviews for prospective Commissioners have been scheduled.

CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

Priority Calendar votes as tallied by CA Zafferano were announced, with Item F, Garage Parking Standards, being the top vote-getter. By consensus, it was agreed that Items I and M will be combined. Results will be forwarded to City Manager's office. The first Council meeting to discuss this topic will be on March 10th.

8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009

Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.

I:/Planning Com/Min02172009

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2. AGENDA AMENDMENTS - None
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4. CONSENT CALENDAR - None

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Alternate Liaison: Commissioner Frautschi

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Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi

Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 "floating days," with the bullet point "A Sunday floater day from 6 p.m. to 10:30 p.m...." and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the

existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

AP Gill summarized the Staff Report, recommending approval with the conditions attached. He called attention to an error in the third paragraph of page 3 of the Staff Report – the first sentence of that paragraph should be deleted.

Jeff, a representative for DaRosa and Associates, answered questions for the applicant from the Commission as follows:

- There is a small door behind the brick wall at the bottom, which opens to a set of staircases that go up to a small porch that leads to the front door and main entrance.
- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
 - o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
 - o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
- There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
- San Mateo agreed that Belmont does not need to give them further access, and that it is within Belmont's right to deny access onto North Road for residents or businesses on the back side of 43rd Avenue.
- If that is what we decide, San Mateo would go back to their architect and property owner and suggest that they need to revise their design and possibly eliminate a couple of units because they would not be able to meet parking requirements.
- He described a new project on the corner where the Chao Praya is located that looks quite attractive and has no access onto North Road. They are improving the corner with trees and have emergency exits with no parking or pedestrian access.
- He had a meeting scheduled for the next day with City Manager Crist and Councilmember Feierbach.
- A stop work order has been put on the project by Belmont's Public Works Department.

CDD de Melo added that Belmont can use the opportunity to try to make the project better from the North Road side from architectural, operational and landscaping perspectives. He felt it was a very productive meeting, adding that the San Mateo Planner was very gracious.

CDD de Melo reported on the remaining items as follows:

8A. Motel 6 – 1101 Shoreway Road

No update at this time.

8B. NDNU (Koret) Athletic Field

No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive

No update at this time.

8D. Ralston/US-101 Landscape Project

Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility

Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area
No update at this time.

9H. Vancea Auto – 900 El Camino Real
No update at this time.

8I. Parking Study – Downtown Village Areas
No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

Chair Parsons asked who had picked the new light standards that have been installed in the Chula Vista neighborhood. The Commission had been in the process of choosing light standards for main thoroughfares and other streets and now suddenly lights are being installed that nobody has seen. The Commission had wanted a more pedestrian residential look to the neighborhoods.

Announcements:

The Commission Appreciation Dinner is February 27th at the Iron Gate.

The Commission's T-Mobile Wireless Communications decision has been called up by two council members and will be on the February 24th Council agenda. If the call-up receives a majority vote, a Public Hearing will be held at the March 10th Council meeting.

Interviews for prospective Commissioners have been scheduled.

CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

Priority Calendar votes as tallied by CA Zafferano were announced, with Item F, Garage Parking Standards, being the top vote-getter. By consensus, it was agreed that Items I and M will be combined. Results will be forwarded to City Manager's office. The first Council meeting to discuss this topic will be on March 10th.

8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009
Liaison: Commissioner Mercer
Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:
The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.
I:/Planning Com/Min02172009

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi
Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons
Noes: None
Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion

ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commissioner Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 “floating days,” with the bullet point “A Sunday floater day from 6 p.m. to 10:30 p.m....” and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

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- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
 - o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
 - o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
 - There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
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 - He had a meeting scheduled for the next day with City Manager Crist and Councilmember Feierbach.
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CDD de Melo reported on the remaining items as follows:

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No update at this time.

8B. NDNU (Koret) Athletic Field
No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive
No update at this time.

8D. Ralston/US-101 Landscape Project
Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility
Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area
No update at this time.

9H. Vancea Auto – 900 El Camino Real
No update at this time.

8I. Parking Study – Downtown Village Areas
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Other Items

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Announcements:

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Interviews for prospective Commissioners have been scheduled.

CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

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8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009

Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.

I:/Planning Com/Min02172009

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi

Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 "floating days," with the bullet point "A Sunday floater day from 6 p.m. to 10:30 p.m...."

and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons
Noes: None
Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

AP Gill summarized the Staff Report, recommending approval with the conditions attached. He called attention to an error in the third paragraph of page 3 of the Staff Report – the first sentence of that paragraph should be deleted.

Jeff, a representative for DaRosa and Associates, answered questions for the applicant from the Commission as follows:

- There is a small door behind the brick wall at the bottom, which opens to a set of staircases that go up to a small porch that leads to the front door and main entrance.
- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons
Noes: None
Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
 - o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
 - o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
- There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
- San Mateo agreed that Belmont does not need to give them further access, and that it is within Belmont's right to deny access onto North Road for residents or businesses on the back side of 43rd Avenue.
- If that is what we decide, San Mateo would go back to their architect and property owner and suggest that they need to revise their design and possibly eliminate a couple of units because they would not be able to meet parking requirements.
- He described a new project on the corner where the Chao Praya is located that looks quite attractive and has no access onto North Road. They are improving the corner with trees and have emergency exits with no parking or pedestrian access.
- He had a meeting scheduled for the next day with City Manager Crist and Councilmember Feierbach.
- A stop work order has been put on the project by Belmont's Public Works Department.

CDD de Melo added that Belmont can use the opportunity to try to make the project better from the North Road side from architectural, operational and landscaping perspectives. He felt it was a very productive meeting, adding that the San Mateo Planner was very gracious.

CDD de Melo reported on the remaining items as follows:

8A. Motel 6 – 1101 Shoreway Road

No update at this time.

8B. NDNU (Koret) Athletic Field
No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive
No update at this time.

8D. Ralston/US-101 Landscape Project
Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility
Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area
No update at this time.

9H. Vancea Auto – 900 El Camino Real
No update at this time.

8I. Parking Study – Downtown Village Areas
No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

Chair Parsons asked who had picked the new light standards that have been installed in the Chula Vista neighborhood. The Commission had been in the process of choosing light standards for main thoroughfares and other streets and now suddenly lights are being installed that nobody has seen. The Commission had wanted a more pedestrian residential look to the neighborhoods.

Announcements:

The Commission Appreciation Dinner is February 27th at the Iron Gate.

The Commission's T-Mobile Wireless Communications decision has been called up by two council members and will be on the February 24th Council agenda. If the call-up receives a majority vote, a Public Hearing will be held at the March 10th Council meeting.

Interviews for prospective Commissioners have been scheduled.

CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

Priority Calendar votes as tallied by CA Zafferano were announced, with Item F, Garage Parking Standards, being the top vote-getter. By consensus, it was agreed that Items I and M will be combined. Results will be forwarded to City Manager's office. The first Council meeting to discuss this topic will be on March 10th.

8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009
Liaison: Commissioner Mercer
Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.
I:/Planning Com/Min02172009

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi
Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

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Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

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5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10

be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

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Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

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Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 “floating days,” with the bullet point “A Sunday floater day from 6 p.m. to 10:30 p.m....” and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303
Applicant(s): Darosa & Assoc.
Owners: James & Yayoi Mirande
Project Planner: Rob Gill, 598-4204

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- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

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Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons
Noes: None
Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

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- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
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8. REPORTS, STUDIES AND UPDATES:

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No update at this time.

8B. NDNU (Koret) Athletic Field

No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive

No update at this time.

8D. Ralston/US-101 Landscape Project

Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility

Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area

No update at this time.

9H. Vancea Auto – 900 El Camino Real

No update at this time.

8I. Parking Study – Downtown Village Areas
No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

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Announcements:

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8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009
Liaison: Commissioner Mercer
Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:
The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

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CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi
Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 “floating days,” with the bullet point “A Sunday floater day from 6 p.m. to 10:30 p.m....” and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

AP Gill summarized the Staff Report, recommending approval with the conditions attached. He called attention to an error in the third paragraph of page 3 of the Staff Report – the first sentence of that paragraph should be deleted.

Jeff, a representative for DaRosa and Associates, answered questions for the applicant from the Commission as follows:

- There is a small door behind the brick wall at the bottom, which opens to a set of staircases that go up to a small porch that leads to the front door and main entrance.
- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons
Noes: None
Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
 - o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
 - o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
- There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
- San Mateo agreed that Belmont does not need to give them further access, and that it is within Belmont's right to deny access onto North Road for residents or businesses on the back side of 43rd Avenue.
- If that is what we decide, San Mateo would go back to their architect and property owner and suggest that they need to revise their design and possibly eliminate a couple of units because they would not be able to

meet parking requirements.

- He described a new project on the corner where the Chao Praya is located that looks quite attractive and has no access onto North Road. They are improving the corner with trees and have emergency exits with no parking or pedestrian access.

- He had a meeting scheduled for the next day with City Manager Crist and Councilmember Feierbach.

- A stop work order has been put on the project by Belmont's Public Works Department.

CDD de Melo added that Belmont can use the opportunity to try to make the project better from the North Road side from architectural, operational and landscaping perspectives. He felt it was a very productive meeting, adding that the San Mateo Planner was very gracious.

CDD de Melo reported on the remaining items as follows:

8A. Motel 6 – 1101 Shoreway Road

No update at this time.

8B. NDNU (Koret) Athletic Field

No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive

No update at this time.

8D. Ralston/US-101 Landscape Project

Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility

Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area

No update at this time.

9H. Vancea Auto – 900 El Camino Real

No update at this time.

8I. Parking Study – Downtown Village Areas

No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

Chair Parsons asked who had picked the new light standards that have been installed in the Chula Vista neighborhood. The Commission had been in the process of choosing light standards for main thoroughfares and other streets and now suddenly lights are being installed that nobody has seen. The Commission had wanted a more pedestrian residential look to the neighborhoods.

Announcements:

The Commission Appreciation Dinner is February 27th at the Iron Gate.

The Commission's T-Mobile Wireless Communications decision has been called up by two council members and will be on the February 24th Council agenda. If the call-up receives a majority vote, a Public Hearing will be held at the March 10th Council meeting.

Interviews for prospective Commissioners have been scheduled.

CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

Priority Calendar votes as tallied by CA Zafferano were announced, with Item F, Garage Parking Standards, being the top vote-getter. By consensus, it was agreed that Items I and M will be combined. Results will be forwarded to City Manager's office. The first Council meeting to discuss this topic will be on March 10th.

8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009

Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo

Planning Commission Secretary

CD's of Planning Commission Meetings are available in the Community Development Department.

Please call (650) 595-7416 to schedule an appointment.

I:/Planning Com/Min02172009

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi

Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 "floating days," with the bullet point "A Sunday floater day from 6 p.m. to 10:30 p.m...." and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons
Noes: None
Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

AP Gill summarized the Staff Report, recommending approval with the conditions attached. He called attention to an error in the third paragraph of page 3 of the Staff Report – the first sentence of that paragraph should be deleted.

Jeff, a representative for DaRosa and Associates, answered questions for the applicant from the Commission as follows:

- There is a small door behind the brick wall at the bottom, which opens to a set of staircases that go up to a small porch that leads to the front door and main entrance.
- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.
 - o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
 - o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

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Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
- There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
- San Mateo agreed that Belmont does not need to give them further access, and that it is within Belmont's right to deny access onto North Road for residents or businesses on the back side of 43rd Avenue.
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CDD de Melo reported on the remaining items as follows:

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No update at this time.

8B. NDNU (Koret) Athletic Field

No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive

No update at this time.

8D. Ralston/US-101 Landscape Project

Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility

Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area

No update at this time.

9H. Vancea Auto – 900 El Camino Real

No update at this time.

8I. Parking Study – Downtown Village Areas

No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

Chair Parsons asked who had picked the new light standards that have been installed in the Chula Vista neighborhood. The Commission had been in the process of choosing light standards for main thoroughfares and other streets and now suddenly lights are being installed that nobody has seen. The Commission had wanted a more pedestrian residential look to the neighborhoods.

Announcements:

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CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

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8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009

Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

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Please call (650) 595-7416 to schedule an appointment.
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CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi
Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

Discussion ensued regarding the specifics of the proposed trail and answers to questions from Commissioners.

Chair Parsons suggested seeding of the embankments with native wild flowers to prevent erosion, and removal of the graffiti and surveillance by the Police Department. PRD Gervais noted that an individual believed to have been doing the tagging has been apprehended and that the graffiti will be painted over.

Commissioner Frautschi recommended that the environmental science teacher at Notre Dame High School would be a good resource for this project. He asked if there is a maintenance schedule for the trails throughout the City. PRD Gervais responded that there is not a schedule – most staff time is spent in the parks. He added that open space is maintained mostly by volunteer labor and that goals are to find more advocates for open space and grant funding. Eventually he would like to see the addition of basic amenities like benches and a water fountain so that Water Dog Lake could become a destination place. Discussion ensued regarding the use of pressure-treated wood vs. redwood, and Commissioner Frautschi suggested that concrete footers be considered.

Commissioner Mercer suggested that staff determine if Ralston Middle School still has an after-school Trail Blazing Club, and, if so, assure that the students are working towards the project's goals.

Commissioner Mayer was pleased to hear that they are talking about Water Dog Lake becoming a destination place but had concerns about the condition of the water. PRD Gervais explained that the Public Works Department manages the dam and that they keep it at the lowest level for safety reasons, which explains the algae problem. In order for the lake to become a destination area, they would need to raise the water levels and dredge the sediment, noting that it is an 1880's dam and some people want to keep the least amount of pressure on the dam. Commissioner Frautschi added that Council has authorized looking into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

Patty Ciesla, resident of Belmont, spoke to the Commission about her excitement about the project, noting that she has been recruiting volunteers to do trail work in Water Dog for a few years. Part of her motivation for being involved is to create a family-friendly trail. She noted that plants that are dug up for the trail will be transplanted so that when the trail is done it will have a very natural look. She is looking forward to recruiting people throughout Belmont to help build the trail and thanked PRD Gervais for helping to lead the project and keeping the volunteers excited and motivated.

Kevin Sullivan, Belmont resident and Parks and Recreation Commissioner, addressed the Commission, stating that he also has been working heavily on the trail and is enthusiastic about what the trail can do to make the Water Dog area a place where more people can go. He supports the efforts to make it a destination area and thanked the Council and the Commission for their current and continued support. He asked that they try to stick with the plan to build it mostly by hand with limited machinery because that will achieve a more natural and enjoyable trail site. He also hoped to bring in more people from user groups other than the bike community.

5B. Resolution to Approve Conditional Use Permit (Cabaret Use) for 1400 El Camino Real (Continued from 2/3/09 Planning Commission Meeting)

CDD de Melo summarized the staff memorandum, adding that correspondence had been received from the applicant on the previous day asking for modifications to the hours relative to Condition of Approval 4.

After discussion with Commissioners, the second sentence of Condition 4 could be changed to read "Live entertainment shall be permitted on Sundays from 11 a.m. to 6 p.m." and the first bullet point could read "A Sunday evening from 6 p.m. to 10:30 p.m...." Relative to Commissioners' concerns about having sound from either live entertainment or canned music on the patio, Chair Parsons recommended that Condition 10 be amended to state that no speakers shall be installed for the outdoor patio area to transmit live or recorded music.

Golara Mokhtari, applicant, said that she had not received a copy of the proposed resolution, but based on what she had heard the proposed hours seemed acceptable. She stated that the fewer limitations the better it would be for her patrons who want to have private parties at the restaurant, and she requested a potential to have some sort of music on the patio for private party special occasions. She stated that brunch hours are currently 8 a.m. to 2:30 p.m. and if they opt to serve dinner on Sundays they would like to have jazz music until 2:00 – on the patio. She did not think it would be an issue, citing traffic and train noise and

concerts in the park, and that there are few residential units behind the restaurant. She said they would do their best not to exceed the noise ordinance limitations and if someone complained they would stop.

There was no one in the audience wishing to speak on this item.

Responding to Commissioner Mercer, CDD de Melo provided a recap of the floater days granted to the other cabarets in the City, noting that they have rarely been used.

Commissioner Frautschi supports the changes that staff has suggested but he could not support the extension of entertainment to the patio. He pointed out that they are discussing a CUP for 1400 El Camino Real – not 1404. There is no application for entertainment on the patio and he would not support that for this application.

Commissioners Mercer Horton concurred, and felt that they should take this slowly to see how it works – the City is not ready to have outdoor entertainment. The residents on the hills have been very vocal about the intrusion of music that drifts up the hills.

Commission Mayer was more inclined to be flexible because Condition 6 calls for review after 1 year, at which time they would have the flexibility to retract it if necessary.

Chair Parsons did not believe they could do anything about it at this meeting because 1404 is not included in the cabaret application.

Commissioner Frautschi mentioned that when the University uses Ralston Hall for outdoor weddings the neighbors call and complain because of the amplified sound system.

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to adopt the Resolution approving a Conditional Use Permit at 1400 El Camino Real (Appl. No. PA2008-0020) with Exhibit A, Conditions of Project Approval – Cabaret Use, with the changes indicated for Condition 4 from 11 a.m. to 6 p.m. on Sundays with 12 “floating days,” with the bullet point “A Sunday floater day from 6 p.m. to 10:30 p.m....” and the additional changes indicated to Condition 10 stating that live and canned music may not be transmitted from the interior restaurant to the exterior patio area.

Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2311 Casa Bona Avenue

The applicant requests Single-Family Design Review approval to construct a 710-square-foot addition to the existing 2,086-square-foot single-family residence for a total of 2,796 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2008-0064)

APN: 044-031-210; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicant(s): Darosa & Assoc.

Owners: James & Yayoi Mirande

Project Planner: Rob Gill, 598-4204

AP Gill summarized the Staff Report, recommending approval with the conditions attached. He called attention to an error in the third paragraph of page 3 of the Staff Report – the first sentence of that paragraph should be deleted.

Jeff, a representative for DaRosa and Associates, answered questions for the applicant from the Commission as follows:

- There is a small door behind the brick wall at the bottom, which opens to a set of staircases that go up to a small porch that leads to the front door and main entrance.
- The bricks on the front of the house are decorative only.
- The main color of the house is brown.
- The owner wanted to minimize any changes to the façade and keep the existing character of the building intact.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Vice Chair Horton suggested that she would have added a half bath.

Commissioner Mercer would have fixed the front door. She is pleased that the owner is not attempting to go to two stories - she believes it is a very moderate, reasonable and unobtrusive addition.

Commissioner Frautschi noted that a 50-year-old house could have used more remodeling, the landscaping looks tired, and that they could have chosen a better time for the neighborhood outreach meeting.

Commissioner Mayer had many of the same feelings but since the house is so unobtrusive he was not concerned about the landscaping.

Commissioner Mercer suggested that, because it is a narrow street, a condition be added to specify that a dumpster not be located on the street. Chair Parsons responded that for a short period of time they could get an encroachment permit to put it across the street.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review at 2311 Casa Bona (Appl. No. 2008-0064).

Ayes: Horton, Mayer, Mercer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion Passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

7. OLD BUSINESS

7A. COMMISSION BALLOT / PRIORITY CALENDAR STEP II – SPRING 2009

(Continued from 2/3/09 Planning Commission meeting)

CDD de Melo summarized the staff memorandum and clarified the procedures to be followed, noting that he had already tallied ballots from Commissioners Reed and McKenzie, who were absent from the meeting. He reviewed in detail the status of items currently on the Priority Calendar, and answered questions regarding the items on the Spring 2009 ballot.

Commissioner Frautschi made the following suggestions:

- The General Plan could become a mechanism to generate revenue. San Francisco produced a small book "A Vision of Place – A Guide to San Francisco General Plan," copies of which are sold for \$16.00.
- Regarding the project descriptions, it would be helpful to him if each description included the date each project was originated and when it was completed.
- Regarding Attachment A, Planning Commissioner Ballot:
 - o Item A, Parking Lot Lighting could be deleted because it is included when they do design reviews.

- o Item G, Wireless Communications and Compilation of Federal, State and Local Preemptions, would need to be completed before Item E.
- o Items I and M, Hardscape Limits and Lot Coverage in Yard Areas could be combined or ranked next to each other.

8. REPORTS, STUDIES AND UPDATES:

8E. San Mateo Development – North Road/43rd Avenue

Chair Parsons reported as follows on his visit to San Mateo City Hall with CDD de Melo and AP Walker:

- San Mateo has no record of an encroachment ever being granted for vehicle access across Belmont property.
 - There is one driveway that has been there for a very time, and Belmont is probably locked into allowing that one driveway.
 - San Mateo agreed that Belmont does not need to give them further access, and that it is within Belmont's right to deny access onto North Road for residents or businesses on the back side of 43rd Avenue.
 - If that is what we decide, San Mateo would go back to their architect and property owner and suggest that they need to revise their design and possibly eliminate a couple of units because they would not be able to meet parking requirements.
 - He described a new project on the corner where the Chao Praya is located that looks quite attractive and has no access onto North Road. They are improving the corner with trees and have emergency exits with no parking or pedestrian access.
 - He had a meeting scheduled for the next day with City Manager Crist and Councilmember Feierbach.
 - A stop work order has been put on the project by Belmont's Public Works Department.
- CDD de Melo added that Belmont can use the opportunity to try to make the project better from the North Road side from architectural, operational and landscaping perspectives. He felt it was a very productive meeting, adding that the San Mateo Planner was very gracious.

CDD de Melo reported on the remaining items as follows:

8A. Motel 6 – 1101 Shoreway Road

No update at this time.

8B. NDNU (Koret) Athletic Field

No update at this time.

8C. Charles Armstrong School – 1405 Solana Drive

No update at this time.

8D. Ralston/US-101 Landscape Project

Look for this item to be coming back to approve the landscape plans. Landscaping should start in the spring.

8F. 900 Sixth Avenue – Belmont Vista Facility

Two trees still have not been planted. Will call them and also discuss the sign at the end of the street.

8G. Caltrain Landscape Area

No update at this time.

9H. Vancea Auto – 900 El Camino Real

No update at this time.

8I. Parking Study – Downtown Village Areas

No update at this time.

Other Items

Graffiti visible from O'Neill will be referred to Police Department.

Mark Nolfi is in touch with the party responsible for the piles of dirt on Ralston.

Chair Parsons asked who had picked the new light standards that have been installed in the Chula Vista neighborhood. The Commission had been in the process of choosing light standards for main thoroughfares and other streets and now suddenly lights are being installed that nobody has seen. The Commission had wanted a more pedestrian residential look to the neighborhoods.

Announcements:

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The Commission's T-Mobile Wireless Communications decision has been called up by two council members and will be on the February 24th Council agenda. If the call-up receives a majority vote, a Public Hearing will be held at the March 10th Council meeting.

Interviews for prospective Commissioners have been scheduled.

CDD de Melo reminded Commissioners to check their Belmont.gov email accounts regularly and to keep up with their AB1234 ethics requirement.

Priority Calendar votes as tallied by CA Zafferano were announced, with Item F, Garage Parking Standards, being the top vote-getter. By consensus, it was agreed that Items I and M will be combined. Results will be forwarded to City Manager's office. The first Council meeting to discuss this topic will be on March 10th.

8. CITY COUNCIL MEETING OF TUESDAY, FEBRUARY 24, 2009

Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 8:46 p.m. to a Regular Planning Commission Meeting on Tuesday, March 3, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.

I:/Planning Com/Min02172009

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, FEBRUARY 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Frautschi

Commissioners Absent: McKenzie, Reed

Staff Present: Community Development Director de Melo (CDD), Parks and Recreation Director Gervais (PRD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

4A. Minutes of January 20, 2009

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to accept the Minutes of January 20, 2009 as presented.

Ayes: Horton, Mercer, Mayer, Frautschi, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

5. NEW BUSINESS:

5A. Water Dog Lake Open Space Trail Improvement Update

PRD Gervais summarized the staff memorandum, using maps and photos to describe the project site. He noted that this is a Priority Calendar item with a \$40,000 budget for materials, and that an additional \$50,000 to \$70,000 worth of construction costs will be donated by volunteer labor and professional services.

Nicki Fox, Landscape Architect and Belmont resident, described in detail the remedies planned for the trail and bridges. She stated that the goals are 1) to create a trail that can be used safely by all and 2) to create a trail that has the least environmental impact and provides the opportunity to experience the natural habitat of the area. The new trail is approximately one mile long vs. about a half mile for the current trail.

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into Water Dog Lake as part of the creek restoration project and that the Director of Public Works is looking for funding.

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Ayes: Frautschi, Horton, Mercer, Mayer, Parsons

Noes: None

Absent: McKenzie, Reed

Motion passed 5/0/2

Chair Parsons announced that this item can be appealed to the City Council within 10 calendar days.

6. PUBLIC HEARINGS:

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(Appl. No. 2008-0064)

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Noes: None

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Motion Passed 5/0/2

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Liaison: Commissioner Mercer

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

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